

NCC Minutes 4/20/09

Open meeting 7:05 p.m.

Present: D. Mason, A. Watts, L. Hill, R. Konisky, L. Carroll, S. Shope and town residents Mr. and Mrs. Silverstein of Halls Mill Rd.

- 1) The Silversteins: Presentation concerning potential lead contamination of the conservation easement on their property on Halls Mill Rd. from shooting of skeet, rifles and pistols on the neighboring property of the Hurlberts. Mr. Silverstein distributed an information packet to each NCC member.
 - A. Watts asked whether they are actually using lead ammunition. Mr. Silverstein replied that they are using lead and steel.
 - He has read the NRA guidelines and spoken to the NRA. They recommend a 900 ft. shooting radius for skeet due to scatter and a 20 ft. berm as a backstop for rifles with a cleared field in front. A 300 ft. radius clear of any residence for shooting rifles is required by law which they do have.
 - He presented maps illustrating that they could potentially be shooting lead bullets and skeet into the conservation easement. He also stated that a few people shooting skeet for a few hours could potentially be releasing 30-50 lbs. of lead into the environment. He has taken photographs documenting the potential proximity of the wetlands to the shooting range and the backstops the Hurlberts are using consisting of some boards. He also said the Hurlberts may have posted some of the Silversteins property as their own.
 - A. Watts said she has already talked with Mr. Lipthek at D.E.S.. The Silversteins could have D.E.S. come out to look at the situation. Mr. Silverstein requested that someone from the NCC come to inspect. A. Watts explained that none of us has the expertise to do this.
 - R. Konisky asked whether there is language in the easement that addresses potential pollution and Mr. Silverstein replied that there is. R. Konisky asked whether they have found any actual lead skeet or bullets on their property. Mr. Silverstein replied that they have not specifically looked.
 - A. Watts states that there are 2 potential breaches on the conservation easement- the potential pollution and possible trespass.
 - Mr. Silverstein requested that the NCC send a letter to the Hurlberts that we are investigating the potential lead contamination. L. Carroll suggested we send a letter to the Selectman and a copy to the Hurlberts. A. Watts feels we need to speak to the Selectman and notify D.E.S..
 - R. Konisky suggested that there may have been similar situations in the state so D.E.S. may have some guidelines.
 - Mr. Silverstein wants to be able to stop this before any pollution actually occurs. Shooting has been temporarily stopped until 5/5/09. D. Mason stated that we need to clarify what we can do as a board as we are purely advisory.
 - A. Watts said that we will consult with D.E.S. and keep in touch with Mr. Silverstein.

2)

1) Silverstein easement (cont.)

- D. Mason suggested we send a letter to the Selectman and D.E.S. and send a copy to the Silversteins. L. Carroll feels we should state that we recommend that the Hurlberts not use lead. S. Shope agrees.
- A. Watts also says we need to consult with F. Lane re: the language of the easement to clarify who is the grantee and who is the grantor. The grantee needs to notify the grantor of violations and the grantor is responsible for addressing the issue.
- A. Watts proposes we contact D.E.S. and try to set up a site visit and compose a letter to the Selectman. L. Carroll motions to accept, seconded by D. Mason, all in favor YES.

2) Administrative Business:

- a) Treasurer's Report: A. Watts motions to accept, S. Shope seconds, all in favor YES.
- b) Minutes 3/16/09: L. Carroll motions to accept, S. Shope seconds, all in favor YES.

3) Bobbie Byrne Memorial: Selectman have suggested dedicating a trail or land in memorium. S. Shope will talk to B. Hart or K. Rubin at SLT to see if they have any suggestions.

4) Next meeting: 5/18/09

Adjourn 8:30 p.m.

NCC member L. Hill 4/20/09